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			ZUBAJLO, JENNIFER L	
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/809,132	Applicant(s) MARCINKIEWICZ ET AL.	
	Examiner Jennifer Zubajlo	Art Unit 2629	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 06 July 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,2 and 4-49 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,2 and 4-49 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 25 March 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-2, 4-5, 14, 19, 21, 23, 24, 26, 41-44, and 48 are rejected under 35 U.S.C. 102(b) as being anticipated by Miller et al. (Pub. No.: US 2002/0024529 A1) hereinafter, Miller.

3. For claims 1 and 24, Miller teaches:

A system and method of improving visibility of information on a display of a portable electronic device comprising: measuring ambient light with light detection electronics located on the portable electronic device (see Abstract and figure 4); averaging the measured ambient light over a predefined time to determine an average measured ambient light (see figures 5 & 6); and adjusting the display by use of a display controller on the portable electronic device based on the average measured ambient light (see figures 5 & 6).

For claims 2 (dependent on claim 1) and 42 (dependent on claim 24), note figures 5 & 6 which establish measuring the ambient light with light detection electronics comprises detecting the ambient light with a light sensor, and wherein averaging the

measured ambient light comprises averaging the detected ambient light over the predefined time to determine the average measured ambient light.

For claims 4 (dependent on claim 2) and 44 (dependent on claim 24), note [0024] and figure 4 which establishes the light detection electronics (light sensor) as part of a camera assembly.

For claims 5 (dependent on claim 1) and 26 (dependent on claim 24), note [0013], [0014], [0028], [0031], and [0032] teach that adjusting the display on the portable electronic device comprises adjusting at least one of a size of displayed information, a backlight intensity of the display, and a display contrast based on the average measured ambient light.

For claim 14 (dependent on claim 1), note [0013], [0014], [0024], [0028], [0031], and [0032] teach adjusting the display on the portable electronic device comprising: adjusting at least two of a size of displayed information, a backlight intensity of the display, and a display contrast based on the average measured ambient light.

For claims 19 (dependent on claim 1) and 41 (dependent on claim 24), note [0013] and [0014] teach a display controller that automatically adjusts the display on the portable electronic device based on the average measured ambient light.

For claim 21 (dependent on claim 1), note [0003] teaches adjusting at least one of a gamma setting, a white point setting, and a black point setting of the display on the portable electronic device based on the average measured ambient light. This is not taught directly, however adjusting the gamma, white point, or black point settings is for the purpose of enhancing the visibility of color and this is what is described in [0003].

For claims 23 (dependent on claim 1) and 48 (dependent on claim 24), note [0028] teaches a display on the portable electronic device comprising: one of a liquid crystal display, a thin film transistor display, a thin film diode display, an organic light emitting diode, and a super twisted nematic display. In this case, a liquid crystal display is used.

For claim 43 (dependent on 42), note [0013], [0014], [0015], [0024], [0028], and [0032] teach light detection electronics comprising a light processor for processing the detected ambient light and determining the average measured ambient light from the processed ambient light.

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

5. Claims 1-2, 5, 7, 8, 15-20, 23, 24, 26, 27, 35-38, 41-43, 46, and 48 are rejected under 35 U.S.C. 102(a) as being anticipated by Yong et al. (Pub. No.: US 2004/0012556 A1) hereinafter, Yong.

6. For claims 1 and 24, Yong teaches:

A system and method of improving visibility of information on a display of a portable electronic device comprising: measuring ambient light with light detection electronics located on the portable electronic device (see figures 2 or 5); averaging the measured ambient light over a predefined time to determine an average measured ambient light (see figure 3 and [0022] & [0030]); and adjusting the display by use of a display

controller on the portable electronic device based on the average measured ambient light (see figures 2, 3, 5 and [0022] & [0030]).

For claims 2 (dependent on claim 1) and 42 (dependent on claim 24), note figures 2, 3, 5 and [0022] & [0030] which establishes measuring the ambient light with light detection electronics comprises detecting the ambient light with a light sensor, and wherein averaging the measured ambient light comprises averaging the detected ambient light over the predefined time to determine the average measured ambient light.

For claims 5 (dependent on claim 1) and 26 (dependent on claim 24), note [0005], [0009], [0018], [0022], [0028], and [0032] teach that adjusting the display on the portable electronic device comprises adjusting at least one of a size of displayed information, a backlight intensity of the display, and a display contrast (brightness) based on the average measured ambient light.

For claims 7 (dependent on claim 5) and 27 (dependent on claim 27), note [0022] and [0024] teach adjusting the backlight intensity of the display based on the average measured ambient light comprising: adjusting a pulse width modulation duty cycle of the display based on the average measured ambient light.

For claim 8 (dependent on claim 5), note [0005], [0009], [0018], [0022], [0028], and [0032] teach adjusting the backlight intensity of the display based on the average measured ambient light comprising of increasing/decreasing the backlight intensity as the average measured ambient light decreases/increases.

For claims 15 (dependent on claim 1) and 35 (dependent on claim 24), note [0010], [0021], [0023], [0024], and figure 3 teach generating a table (graph) of display adjustment values and storing these values, wherein each display adjustment value corresponds to a different ambient light value.

For claims 16 (dependent on claim 15) and 36 (dependent on claim 35), note [0009], [0010], [0021], [0022], [0023], [0024], and figure 3 teach adjusting the display on the portable electronic device based on the measured ambient light comprising: selecting the display adjustment value from the table of display adjustment values that corresponds to the measured ambient light and adjusting the display on the portable electronic device based on the selected display adjustment value.

For claims 17 (dependent on claim 15) and 37 (dependent on claim 35), note [0005], [0009], [0018], [0022], [0028], and [0032] teach display adjustment values corresponding to a size of displayed information, a display contrast, or a backlight intensity of the display on the portable electronic device to a different ambient light value.

For claim 18 (dependent on claim 17), note [0005], [0009], [0018], [0022], [0028], and [0032] teach adjusting the display on the portable electronic device based on the average measured ambient light comprises selecting a display adjustment value for at least one of the size of the displayed information, the display contrast, and the backlight intensity of the display from the table of display adjustment values based on the average measured ambient light, and adjusting at least one of the size of the displayed

information, the display contrast, and the backlight intensity based on the selected display adjustment value(s).

For claims 19 (dependent on claim 1) and 41 (dependent on claim 24), note [0022] teaches a display controller that automatically adjusts the display on the portable electronic device based on the average measured ambient light.

For claim 20 (dependent on claim 1), note [0005], [0009], [0010], [0018], [0022], and [0028] teach adjusting the display on the portable electronic device based on the average measured ambient light comprising: receiving a user input and adjusting the display on the portable electronic device based on the average measured ambient light in response to the user input.

For claims 23 (dependent on claim 1) and 48 (dependent on claim 24), note [0009], [0010], [0018], [0022], [0028], and [0032] teach a display on the portable electronic device comprising: one of a liquid crystal display, a thin film transistor display, a thin film diode display, an organic light emitting diode, and a super twisted nematic display.

For claim 38 (dependent on claim 24), note [0009], [0010], [0018], [0022], [0028], and [0032] teach a user input device for directing the display controller to adjust the display on the portable electronic device based on the measured ambient light.

For claim 43 (dependent on claim 42), note [0009], [0018], [0024], and [0032] teach light detection electronics further comprises a light processor for processing the detected ambient light and determining the average measured ambient light from the processed ambient light.

For claim 46 (dependent on claim 24), note [0004], [0005], [0015], [0017], [0021], [0026], [0030], and [0032] teach a portable electronic device comprising a cellular telephone comprising a transceiver for transmitting and receiving wireless communication signals.

Claim Rejections - 35 USC § 103

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. Claims 10-13, 28, 30-34 are rejected under 35 U.S.C. 103(a) as being unpatentable over Miller et al. (Pub. No.: US 2002/0024529 A1) as applied to claims 1, 5, and 24 above, and further in view of Naoki Kuwata (EP 1 158 484 A2), hereinafter Kuwata.

As to claims 10-13, Miller teaches the limitations of claims 1 and 5 for the reasons above.

Miller doesn't teach determining a display temperature by directly measuring the temperature or measuring an ambient temperature and determining the display temperature; and adjusting the bias voltage of the display on the portable electronic device.

Kuwata teaches adjusting the display contrast comprising: determining a display temperature by directly measuring the temperature or measuring an ambient

temperature and determining the display temperature based on the measured ambient temperature; and adjusting the bias voltage of the display on the portable electronic device (see [0096] – [0101]).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate adjusting the display contrast by determining a display temperature by directly measuring the temperature or measuring an ambient temperature and determining the display temperature based on the measured ambient temperature and adjusting the bias voltage of the display on the portable electronic device taught by Kuwata into a system and method of improving visibility of information on a display of a portable electronic device taught by Miller. It would have been obvious make this combination in order to maximize the visibility of the display information.

As to claim 28, Miller teaches the limitations of claim 24 for the reasons above.

Miller doesn't directly teach a contrast controller for adjusting a display contrast.

Kuwata teaches display controller comprising a contrast controller for adjusting a display contrast (see [0096]-[0101]).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the contrast controller taught by Kuwata into a system and method of improving visibility of information on a display of a portable electronic device taught by Miller. It would have been obvious make this combination in order to maximize the visibility (contrast) of the display information.

As to claims 30-34, Miller teaches the limitations of claims 24 for the reasons above.

Miller doesn't teach adjusting the display contrast by determining a display temperature by directly measuring the temperature or measuring an ambient temperature and determining the display temperature based on the measured ambient temperature; and adjusting the bias voltage of the display on the portable electronic device.

Kuwata teaches the limitations of claim 28 for the reasons above and also teaches adjusting the display contrast based by determining a display temperature by directly measuring the temperature or measuring an ambient temperature and determining the display temperature based on the measured ambient temperature; and adjusting the bias voltage of the display on the portable electronic device (see [0096] – [0101]).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate adjusting the display contrast by determining a display temperature by directly measuring the temperature or measuring an ambient temperature and determining the display temperature based on the measured ambient temperature and adjusting the bias voltage of the display on the portable electronic device taught by Kuwata into a system and method of improving visibility of information on a display of a portable electronic device taught by Miller. It would have been obvious make this combination in order to maximize the visibility of the display information.

9. Claim 47 is rejected under 35 U.S.C. 103(a) as being unpatentable over Miller et al. (Pub. No.: US 2002/0024529 A1) as applied to claims 24 and 44 above, and further in view of Yong et al. (Pub. No.: US 2004/0012556 A1) hereinafter, Yong.

Miller teaches the limitations of claims 24 and 44 for the reasons above.

Miller doesn't teach the light detection electronics (light sensor) are disposed in a camera assembly within the cellular telephone.

Yong teaches light detection electronics (light sensor) within a cellular telephone (see [0004], [0005], [0015], [0017], [0021], [0026], [0030], and [0032]).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine light detection electronics (light sensor) as part of a camera assembly taught by Miller with light detection electronics (light sensor) within a cellular telephone taught by Yong. This would have been obvious because combining a camera with a cellular phone was common in the art at the time of the invention for the purpose of convenience.

10. Claims 6, 9, and 25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yong et al. (Pub. No.: US 2004/0012556 A1) as applied to claims 1, 5, and 24 above, and further in view of Nils Rydbeck (Patent No.: US 6233467 B1), hereinafter Rydbeck.

As to claims 6, 9, and 25, Yong teaches the limitations of claims 1, 5, and 24 for the reasons above.

Yong doesn't teach adjusting the size of the displayed information comprising: increasing/decreasing the size of the displayed information or adjusting the display contrast comprising adjusting at least one of a font type, font color, and a background color.

Rydbeck teaches adjusting the size of the displayed information comprising: increasing/decreasing the size of the displayed information as the average measured ambient light increases/decreases (see column 1 lines 32-34, lines 48-50, lines 54-57, and figures 3A and 3B) and adjusting the display contrast comprising adjusting at least one of a font type, font color, and a background color (see column 3 lines 16-30 and figures 3A and 3B).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the adjustment of the size of the displayed information and the display contrast taught by Rydbeck into a system and method of improving visibility of information on a display of a portable electronic device taught by Yong. It would have been obvious make this combination in order to maximize the visibility of the display information.

11. Claim 29 is rejected under 35 U.S.C. 103(a) as being unpatentable over Miller et al. (Pub. No.: US 2002/0024529 A1) as applied to claim 24 above in view of Naoki Kuwata (EP 1 158 484 A2), and further in view of Nils Rydbeck (Patent No.: US 6233467 B1).

Miller teaches the limitations of claim 24 for the reasons above.

Miller doesn't directly teach a contrast controller for adjusting a display contrast.

Kuwata teaches display controller comprising a contrast controller for adjusting a display contrast (see [0096]-[0101]).

Kuwata doesn't teach a contrast controller adjusting at least one of a font type, a font color, and a background color.

Rydbeck teaches a contrast controller adjusting at least one of a font type, a font color, and a background color (see column 1 lines 32-34, lines 48-50, lines 54-57, column 3 lines 16-30, and figures 3A and 3B).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate a contrast controller adjusting at least one of a font type, a font color, and a background color taught by Rydbeck into a contrast controller for adjusting a display contrast taught by Kuwata into a system and method of improving visibility of information on a display of a portable electronic device taught by Miller. It would have been obvious make this combination in order to maximize the visibility (contrast) of the display information.

12. Claim 39 is rejected under 35 U.S.C. 103(a) as being unpatentable over Yong et al. (Pub. No.: US 2004/0012556 A1) as applied to claims 24 and 38 above, and further in view of John Anderton (GB 2 391 995), hereinafter Anderton.

Yong teaches the limitations of claims 24 and 38 for the reasons above.

Yong doesn't teach the user input device comprising of a control button disposed on a housing of the portable electronic device.

Anderton teaches the user input device comprising of a control button disposed on a housing of the portable electronic device (see page 7 lines 3-27).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the user input device comprising of a control button disposed on a housing of the portable electronic device taught by Anderton into a system and method of improving visibility of information on a display of a portable

electronic device taught by Yong. It would have been obvious make this combination in order to maximize the visibility of the display information and allow for a user friendly device.

13. Claim 40 is rejected under 35 U.S.C. 103(a) as being unpatentable over Yong et al. (Pub. No.: US 2004/0012556 A1) as applied to claims 24 and 38 above, and further in view of Nils Rydbeck (Patent No.: 6,233,467 B1).

Yong teaches the limitations of claims 24 and 38 for the reasons above.

Yong doesn't teach a user input device comprising of a speaker for receiving an audible display command from the user (hands free device).

Rydbeck teaches a speaker for receiving an audible display command from the user (see column 2 lines 20-59).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate a user input device comprising of a speaker for receiving an audible display command from the user taught by Rydbeck into a system and method of improving visibility of information on a display of a portable electronic device taught by Yong. It would have been obvious make this combination in order to maximize the visibility of the display information and allow for hands free operation.

14. Claims 22 and 49 are rejected under 35 U.S.C. 103(a) as being unpatentable over Miller et al. (Pub. No.: US 2002/0024529 A1) as applied to claims 1 and 24 above, and further in view of Applicant's Admitted Art.

Miller teaches the limitations of claims 1 and 24 for the reasons above. Miller also teaches conversion of display adjustment parameters generated based on the average measured ambient light (see [0025] and figures 5 & 6).

Miller doesn't teach adjusting a second display on the portable electronic device by using a conversion standard to convert display adjustment parameters generated based on the average measured ambient light for a first display on the portable electronic device to display adjustment parameters for the second display on the portable electronic device.

Applicant's Admitted Art states that it is well known for electronic imaging to adjust parameters of multiple displays (see Applicant's [0052]).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate converting display parameters derived for one display to display parameters for another display taught by Applicant's Admitted Prior Art into a system and method of improving visibility of information on a display of a portable electronic device taught by Miller. It would have been obvious make this combination because it is well known for electronic imaging to adjust parameters of multiple displays.

15. Claim 45 is rejected under 35 U.S.C. 103(a) as being unpatentable over Miller et al. (Pub. No.: US 2002/0024529 A1).

Miller teaches the limitations of claim 24 for the reasons above.

The Examiner is taking an official notice. It is well known for a portable electronic device to be one of a laptop computer, PDA, calculator, etc.

Note: References cited include just some examples that Examiner feels best explain the prior art rejection. However, the entire references teach the scope of the claims in more detail. Examiner recommends that Applicant read the full disclosure.

Response to Arguments

16. Applicant's arguments filed 7/6/2007 have been fully considered but they are not persuasive.

As to claims 1 and 24, applicant argues that “nothing in Miller teaches or suggests averaging measured ambient light over a predefined time” and that “nothing in Yong teaches using an average of several measured ambient light intensity values”. Miller does teach averaging measured ambient light over a predefined time (see figures 5 & 6 – note that it is inherent that averaging takes place during s9 in figure 5 and s19 in figure 6 and this occurs over a predetermined time – it is not specifically stated however it is inherent that a predetermined amount of time passes from step s9 to step s19). In response to applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., using an average of *several measured ambient light intensity values* and *multiple ambient light measurements*) are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

As to claims 6, 9, and 25, in response to applicant's argument that "Rydbeck does not measure ambient light to determine whether or not the lighting conditions are poor" and that "even if there is motivation to combine Rydbeck with Yong, the resulting combination only teaches controlling a display intensity based on a measured ambient light (Yong), and controlling a font size based on the current state of an external connector (Rydbeck)", the test for obviousness is not whether the features of a secondary reference may be bodily incorporated into the structure of the primary reference; nor is it that the claimed invention must be expressly suggested in any one or all of the references. Rather, the test is what the combined teachings of the references would have suggested to those of ordinary skill in the art. See *In re Keller*, 642 F.2d 413, 208 USPQ 871 (CCPA 1981). Note that the combination of Rydbeck with Yong is intended for the teaching of the adjustment of size of the information on the display and the adjustment of the contrast taught by Rydbeck into the portable electronic device and method of improving visibility that includes averaging of the ambient light taught by Yong (see above rejection).

As to claim 29, applicant argues that "nothing in Rydbeck, Miller, or Kuwata teaches or suggests changing a font type, font color, or background color for any reason, much less based on an average measured ambient light". However, Rydbeck does teach this (see column 3 lines 16-30 – note that bolder font style than normal is a font type).

As to claims 22 and 49, applicant argues that Applicant's Admitted Prior Art paragraph [0052] "does not admit that it is known to convert display parameters derived

for one display based on average measured ambient light to display parameters for another display, as required by claims 22 and 49.” However, in response to applicant's arguments against the references individually, one cannot show nonobviousness by attacking references individually where the rejections are based on combinations of references. See *In re Keller*, 642 F.2d 413, 208 USPQ 871 (CCPA 1981); *In re Merck & Co.*, 800 F.2d 1091, 231 USPQ 375 (Fed. Cir. 1986). Miller teaches the average measured ambient light while Applicant's Admitted Prior Art [0052] teaches that it is known to convert display parameters derived for one display to display parameters for another display.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jennifer Zubajlo whose telephone number is (571) 270-1551. The examiner can normally be reached on Monday-Friday, 8 am - 5 pm, EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Amare Mengistu can be reached on (571) 272-7674. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

JZ
11/14/07


AMARE MENGISTU
SUPERVISORY PATENT EXAMINER